

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TRANSPORTATION**

**Call to Order:** By **CHAIRMAN KARL WAITSCHIES**, on February 19, 2003  
at 3 P.M., in Room 472 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Karl Waitschies, Chairman (R)  
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)  
Rep. Dave Gallik, Vice Chairman (D)  
Rep. Joe Balyeat (R)  
Rep. Bob Bergren (D)  
Rep. Ronald Devlin (R)  
Rep. George Golie (D)  
Rep. Jim Keane (D)  
Rep. Bernie Olson (R)  
Rep. Allen Rome (R)  
Rep. Frank Smith (D)  
Rep. Donald Steinbeisser (R)  
Rep. Bill Wilson (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Leanne Kurtz, Legislative Branch  
Pati O'Reilly, Committee Secretary

**Please Note.** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing & Date Posted: HB 587, HB 591, HB 566, HB 556,  
3/14/2003  
Executive Action: HB 587, HB 556, HB 189, HB 591

**HEARING ON HB 587**

**Sponsor:** REPRESENTATIVE EILEEN CARNEY, HD 82

**Opening Statement by Sponsor:**

REP. CARNEY introduced HB 587 by asking the committee to table HB 587.

**Proponents' Testimony:** None

**Opponents' Testimony:**

Jim Currie, Montana Department of Transportation, stated he agreed with the sponsor.

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:** None

*{Tape: 1; Side: A; Approx. Time Counter: 0 - 4.6}*

**EXECUTIVE ACTION ON HB 587**

Motion/Vote: REP. KEANE moved that HB 587 BE TABLED. Motion carried unanimously.

*{Tape: 1; Side: A; Approx. Time Counter: 4.6 - 6.6}*

**HEARING ON HB 566**

**Sponsor:** REPRESENTATIVE SCOTT MENDENHALL, HD 39

**Opening Statement by Sponsor:**

REP. MENDENHALL introduced HB 566 as a bill that requires federally-mandated drug and alcohol test of commercial motor vehicle operators be reported to the Department of Justice if the results are positive. This bill is requested by the Montana Motor Carriers and a trucking firm in the Cardwell area.

*{Tape: 1; Side: A; Approx. Time Counter: 6.6 - 8.5}*

**Proponents' Testimony:**

**Barry Stang, Executive Vice President Montana Motor Carriers,** expressed support by reading written testimony. He also explained some amendments that they would like to be placed on the bill in executive session.

**EXHIBIT**(trh37a01)

*{Tape: 1; Side: A; Approx. Time Counter: 8.5 - 15.4}*

**Molly Molitor, Trucking Company Owner,** supported the bill and handed in a written statement.

**EXHIBIT**(trh37a02)

*{Tape: 1; Side: A; Approx. Time Counter: 15.4 - 21.4}*

**Lance Zanto, Mergenthall Transfer and Storage,** supported this bill and presented written testimony.

**EXHIBIT**(trh37a03)

*{Tape: 1; Side: A; Approx. Time Counter: 21.4 - 24}*

**Opponents' Testimony:** None

**Informational Testimony:**

**Brenda Nordlund, Council, Montana Department of Transportation,** explained the bill and the amendments that were requested.

**EXHIBIT**(trh37a04)

*{Tape: 1; Side: A; Approx. Time Counter: 24 - 30}*

**Questions from Committee Members and Responses:**

**REPS. SMITH, OLSEN, BOOKOUT-REINICKE and WAITSCHIES** questioned the witnesses regarding the procedure to enforce this law and who the reported information would be made available to.

*{Tape: 1; Side: B; Approx. Time Counter: 0 - 30}*

*{Tape: 2; Side: A; Approx. Time Counter: 0 - 10.6}*

**Closing by Sponsor:**

**REP. MENDENHALL** closed with a short summary of the need for this bill.

*{Tape: 2; Side: A; Approx. Time Counter: 10.6 - 12.5}*

**HEARING ON HB 591**

**Sponsor:** REPRESENTATIVE DAN FUCHS, HD 15

**Opening Statement by Sponsor:**

**REP. FUCHS** introduced HB 591 as a bill that comes from the success of the business equipment tax reduction. This bill deals with obtaining an annual permit for a large crane.

*{Tape: 2; Side: A; Approx. Time Counter: 12.5 - 14.8}*

**Proponents' Testimony:**

**Jim Currie**, Montana Department of Transportation, supports this bill.

*{Tape: 2; Side: A; Approx. Time Counter: 14.8 - 15.3}*

**Drew Livesay**, Administrator of the Motor Carrier Services Division, Montana Department of Transportation, gave testimony in support of this bill and entered written testimony.

**EXHIBIT**(trh37a05)

*{Tape: 2; Side: A; Approx. Time Counter: 15.3 - 18}*

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

**REPS. BALYEAT, GALLIK** and **WAITSCHIES** questioned the witnesses about the size of the crane and why they needed to have an annual permit. **Carol Knuckles** answered several of the questions.

*{Tape: 2; Side: A; Approx. Time Counter: 18 - 26.2}*

**Closing by Sponsor:**

REP. FUCHS closed by explaining the convenience this bill offers to contractors and urged the committee to pass the bill.

*{Tape: 2; Side: A; Approx. Time Counter: 26.2 - 28.8}*

**HEARING ON HB 556**

**Sponsor:** REPRESENTATIVE DAVE GALLIK, HD 52

**Opening Statement by Sponsor:** REP. GALLIK introduced the bill as a request by radio ham operators to place their license plates on their motor homes. Most of the ham operators have motor homes that they use when on a search and rescue mission.

*{Tape: 2; Side: A; Approx. Time Counter: 28.8 - 30}*

*{Tape: 2; Side: B; Approx. Time Counter: 0 - 0.5}*

**Proponents' Testimony:**

Proponents talked to the committee on February 17, 2003 and expressed their support of the bill during an informal meeting after the hearings for the day.

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

REP. GALLIK closed.

*{Tape: 2; Side: B; Approx. Time Counter: 0.5 - 1}*

**EXECUTIVE ACTION ON HB 556**

**Motion/Vote:** REP. GALLIK moved HB 556. Motion carried unanimously. To be placed on consent calendar.

*{Tape: 2; Side: B; Approx. Time Counter: 1 - 2.9}*

EXECUTIVE ACTION ON HB 591

Motion/Vote: REP. KEANE moved that HB 591 DO PASS. Motion carried unanimously. To be placed on the consent calendar.

*{Tape: 2; Side: B; Approx. Time Counter: 2.9 - 5.3}*

EXECUTIVE ACTION ON HB 189

Motion/Vote:

REP. BOOKOUT-REINICKE moved that HB 189 BE RECONSIDERED. Motion carried 7-6 with REPS. BERGREN, GOLIE, KEANE, OLSON, ROME, and WILSON voting no by roll call vote.

Motion/Vote: REP. BALYEAT moved that HB 189 BE AMENDED. Motion carried 10-3 with REPS. GOLIE, KEANE, and WILSON voting no.

Motion: REP. BALYEAT moved that HB 189 DO PASS AS AMENDED.

Motion/Vote: REP. BALYEAT moved that HB 189 BE AMENDED. Motion carried 10-3 with REPS. GOLIE, KEANE, and WILSON voting no.

Motion/Vote: REP. BALYEAT moved that HB 189 DO PASS AS AMENDED. Motion carried 7-6 with REPS. BERGREN, GALLIK, GOLIE, KEANE, ROME, and WILSON voting no. Roll call vote

*{Tape: 2; Side: B; Approx. Time Counter: 14.4 - 30}*

*{Tape: 3; Side: A; Approx. Time Counter: 0 - 10.4}*

**ADJOURNMENT**

Adjournment: 5:40 P.M.

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REP. KARL WAITSCHIES, Chairman

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PATI O'REILLY, Secretary

KW/PO

**EXHIBIT** (trh37aad)